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**ATTORNEY FOR PLAINTIFF**  
**UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF MONTANA**  
**BILLINGS DIVISION**

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<b>UNITED STATES OF AMERICA,</b>  <b>Plaintiff,</b>  <b>vs.</b>  <b>GABRIEL COWAN METCALF,</b>  <b>Defendant.</b>	<b>CR 23-103-BLG-SPW</b>  <b>RESPONSE TO DEFENDANT'S</b> <b>MOTIONS IN LIMINE</b>
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The United States of America hereby submits the following response to the Defendant Gabriel Cowan Metcalf's motion in limine regarding testimony as to his mental health. (Doc. 44).

**1. The United States does not intend to introduce evidence regarding the defendant's mental health.**

The defendant's motion in limine seeks to exclude the United States from

eliciting testimony regarding the defendant's mental health. The United States will not seek to introduce testimony regarding the defendant's mental health. The United States will not seek to elicit such testimony and will instruct its witnesses not to opine on their perception of the defendant's mental health. Defense indicates in their motion that they are not raising a mental health defense, and the United States agrees that such testimony would be irrelevant without such a defense. Unless the defendant opens the door to such testimony the United States has no intention to present it.

DATED this 22nd day of February, 2024.

JESSE A. LASLOVICH  
United States Attorney

/s/ Thomas K. Godfrey  
THOMAS K. GODFREY  
Assistant U. S. Attorney

**CERTIFICATE OF COMPLIANCE**

Pursuant to Local Rule, this certifies that the body of the attached response contains 149 words, excluding the caption and certificate of compliance.

JESSE A. LASLOVICH  
United States Attorney

/s/ Thomas K. Godfrey  
THOMAS K. GODFREY  
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